

IN THE HIGH COURT OF JUDICATURE, ANDHRA
PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE V.ESWARAIAH
WRIT PETITION NO : 20164 of 2001

Between:

D. Purushotham Reddy, S/o Ram Reddy,
Working as Paid Secretary, Primary Agriculture Cooperative
Society,
Thummadam, Nalgonda District.

..... PETITIONER

AND

1. The General Manager,
Nalgonda District Cooperative Central Bank Limited,
Nalgonda.

2. Primary Agricultural Cooperative Society,
Thummadam, Rep. By its President,
Nidamanoor Mandal, Nalgonda District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not paying the subsistence allowance to the petitioner herein in view of placing the petitioner under suspension by the 1st respondent in his R.C.No. Admn/A6/F173/94-95, dated 6.6.2000 as illegal, unjust arbitrary and against statutory provisions including Section 47(6) of A.P. Shops and Establishment Act, 1988 and consequently direct the respondents to pay subsistence allowance as per Section 47(6) of A.P. Shops and Establishments Act, 1988 from 6.6.2000 and pass such other order or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner:MR.L.J.VEERA REDDY

**Counsel for the Respondent No.1 : MR.T.AMARNATH
GOUD and Mr. Amerender Kumar.**

The Court made the following :

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ORDER:

Petitioner seeks to issue a direction against the second respondent-Primary Agricultural Cooperative Society for the payment of subsistence allowance in accordance with the provisions of Section 47(6) of A.P. Shops and Establishments Act, 1988.

I have taken a decision in Writ Petition No. 3171 of 2004 and batch dated 30th August 2004 that no Writ lies against the Primary Agricultural Cooperative Society by its employees. Regarding subsistence allowance payable to the petitioner, it is open for the petitioner to take appropriate action in terms of Byelaws and Rules.

Accordingly, the Writ Petition is dismissed. No costs.

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28.09.2004.

To

1. The General Manager,
Nalgonda District Cooperative Central Bank Limited,
Nalgonda.
2. The President, Primary Agricultural Cooperative Society,
Thummadam, Nidamanoor Mandal, Nalgonda District.
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